

**BEFORE THE ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI**

**DIRECTOR OF THE DEPARTMENT)
OF INSURANCE, FINANCIAL)
INSTITUTIONS & PROFESSIONAL)
REGISTRATION)
STATE OF MISSOURI,)**

Petitioner,)

vs.)

FRANK S. NORPHY,)

Respondent.)

FILED

AUG 3 1 2009

**ADMINISTRATIVE HEARING
COMMISSION**

Case No.: 09-0530 DI

**PETITIONER'S MOTION FOR LEAVE TO AMEND COMPLAINT &
MOTION FOR CONTINUANCE**

Petitioner, John M. Huff, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, through counsel, and pursuant to 1 CSR 15-3.350 hereby moves for leave to amend Petitioner's First Amended Complaint. In support thereof, Petitioner states as follows:

1. Petitioner filed a Complaint on April 21, 2009, with the Administrative Hearing Commission alleging that sufficient cause exists for disciplining Respondent's insurance producer license.
2. Petitioner filed his First Amended Complaint on May 5, 2009, with the Administrative Hearing Commission alleging that sufficient cause exists for disciplining Respondent's insurance producer license.
3. Respondent was personally served with the First Amended Complaint on July 11,

2009, by Mark A. Kitchens with Hatfield Process Service at 3001 South Hall Avenue, Independence, Missouri, 64052.

4. Petitioner has determined that there are additional grounds for cause to discipline Respondent's license that were not pleaded in the First Amended Complaint filed on May 5, 2009. (See Exhibit A, attached hereto).

5. Petitioner hereby requests that the Commission deem Petitioner's Second Amended Complaint as filed in this case.

6. Petitioner further requests that the Commission continue the hearing currently scheduled for September 30, 2009, to allow the parties additional time for discovery.

7. This motion is made in the interest of justice and not with the intent to hinder these proceedings in any manner.

WHEREFORE, Petitioner respectfully requests that this Commission grant Petitioner's Motion for Leave to Amend and Motion for Continuance.

Respectfully submitted,



Tamara W. Kopp

Missouri Bar # 59020

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ATTORNEY FOR PETITIONER
Director, Missouri Department of Insurance,
Financial Institutions & Professional
Registration

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing, including all attachments, was mailed first class, with sufficient postage attached, via the United States Postal Service on this 31st day of August, 2009 to:

Frank S. Norphy
3001 South Hall Avenue
Independence, Missouri 64052

Tamara W Kopp